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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of May 18, 2024

2007-00403 RECEIVED: 05/01/08 FILED: 05/01/08 FINAL: 11/05/10 REOPENED: 10/11/10
SUSPENSION DATE:

CASE NATURE: ALLEGED VIOLATIONS OF ADMINISTRATIVE REGULATION 807 KAR 5:006, 807 KAR 5:022, 807 KAR 5:027 AND 49 CFR 191-192

CASE CODE
Investigation - Service

UTILITIES:
B.T.U. Gas Company, Inc.

HEARINGS:

03/05/10	Formal Hearing
03/04/10	Formal Hearing
01/28/10	Formal Hearing
01/27/10	Formal Hearing
07/17/08	Informal Conference

INDEX OF EVENTS:

04/18/11	POST CASE: B.T.U. Gas Company's Odorization Reports for January 2011 through April 3, 2011
03/21/11	POST CASE: Fontaine Subpoena Duces Tecum for Public Service Commission Executive Director
12/27/10	POST CASE: BTU Gas Company's civil penalty installment payment in amount of $5,000.00
12/20/10	POST CASE: B.T.U. Gas Response to Deficiencies
11/22/10	B.T.U. Gas' Corrections and Responses to Deficiencies
11/19/10	Acknowledgement of Receipt of Installment Payment
11/19/10	B.T. U. Gas Company, Inc.'s civil penalty installment payment
11/09/10	BTU Gas_Leak Survey
11/05/10	Order Entered: 1. BTU's petition to pay its $10,000 penalty in three installments is hereby denied. 2. The payment schedule for BTU's $10,000 penalty is modified as follows: BTU shall pay $5,000 by November 23,201 0 and $5,000 by December 23,201 0. 3. BTU shall file an updated report of the status of the 17 violations cited in the September 23,2010 Order by November 23,2010. 4. All other provisions of the Commission's Order of September 23, 2010 shall remain in effect.
10/26/10	BTU Gas Response to Deficiencies
10/11/10	B.T.U. Gas' Petition to Revise Penalty Payment Schedule
09/23/10	Order Entered: (1) BTU shall take the necessary steps to fulfill all of the compliance timelines as stated in the Appendix. (2) BTU is assessed a civil penalty of $170,000 with $10,000 due within 30 days of the date of this Order. The remaining $160,000 is suspended for two years from the date of this Order. Provided that BTU has corrected the 17 outstanding violations in accordance with this Order and Appendix, the remaining penalty will be vacated at the end of two years. (3) The $170,000 penalty assessed against BTU is for its failure to comply with 49 CFR 191-192. (4) This case is closed and removed from the Commission’s docket.
05/25/10	BTU Gas' Notice of 811 Membership
04/19/10	BTU's Closing Statement
03/29/10	Order Entered: If B.T.U. Gas Company, Inc. wishes to file a brief or summary with the Commission, it shall do so on or before April 19, 2010.
03/19/10	Transcript of Evidence from 030410 Hearing
03/03/10	Subpoena issued to Roger Wingate to appear at formal hearing on March 4 and 5, 2010 at 10:00 a.m.
03/03/10	Subpoena issued to Richard Williams to appear at formal hearing on March 4 and 5, 2010 at 10:00 a.m.
03/03/10	Subpoena issued to Pamela Williams to appear at formal hearing on March 4 and 5, 2010 at 10:00 a.m.
03/03/10	Order Entered: (1) The social security and driver's license numbers contained in BTU's Response to Commission Staff's First Date Request shall be afforded confidential treatment. (2) The Executive Director shall remove BTU's Response to Commission Staff's First Data Request

	from the Commission's public files and shall substitute a copy in which all social security and driver's license numbers have been redacted.
03/02/10	BTU Gas Company's Notice of Amended Exhibits
02/19/10	Commission Staff Notice of Witnesses
02/19/10	BTU Gas Company's Exhibit 6 of Pam Williams Testimony
02/10/10	BTU Gas Company, Inc's testimony of Pam Williams
01/26/10	Order Entered: To be entered nunc pro tunc, that our January 19, 2010 Order shall be amended in ordering paragraph 4(c) on page 2 to reflect that the date B.T.U. filed its response is December 18, 2009. It is further ordered that all other aspects of our January 19, 2010 Order shall remain in full force and effect.
01/19/10	Order Entered: (1) The motion for informal conference is denied. (2) The motion for continuance is granted. (3) The hearing scheduled for January 27-28, 2010 is continued to March 4-5, 2010. (4) The procedural schedule should be amended as follows: a) On or before February 9, 2010 BTU shall fill prepared written testimony of each witness that it intends to call. b) No later than February 19, 2010, BTU and Commission Staff shall file list of person they expect to call as witness at the hearing. c) Within 10 days of the date of this Order, BTU shall submit any changes or additions to the written response filed by BTU on December 18, 2010. d) All other provisions of the December 1, 2009 Order not specifically modified herein shall remain in effect.
12/18/09	BTU's Motion for Continuance
12/18/09	BTU's Motion for Informal Conference
12/18/09	BTU's Response to Allegations of Utility Inspection
12/01/09	Order Entered: (1) B.T.U. shall appear before the Commission on January 27, 2010 at 10:00 a.m. in Hearing Room 1 of the Commission's offices. (2) Within 20 days of the date of this Order, B.T.U. shall submit to the Commission a written response to each allegation in Utility Inspection Report No. 3. (3) The documents appended to this Order are incorporated into the record of this proceeding. (4) B.T.U. is to be represented by a licensed attorney at the scheduled hearing. (5) At the scheduled hearing, B.T.U. shall present testimony and answer questions regarding its compliance with the regulatory requirements cited in this Order. (6) On or before December 18, 2009, B.T.U. shall file with the Commission an original and six copies of the prepared written testimony of each witness that it intends to call at the scheduled hearing. (7) Prepared written testimony shall be in the following format: a. A cover sheet showing the case caption and case style, name of the person testifying, and the party for whom the testimony is offered. b. The first page shall contain testimony only and shall not repeat the information on the cover page. c. Submitted on white, eight and one-half by eleven inch paper and double-spaced. d. Each line shall be numbered at the left margin e. All exhibits shall be labeled. f. Testimony shall be made under oath and signed by the witness giving the testimony. 8. B.T.U. shall limit the length of its opening and closing statements to 10 minutes.
11/13/08	BTU's Third Response to Informal Conference Memorandum
11/03/08	B.T.U. Gas' Second Response to Informal Conference Memorandum
10/17/08	Order Entered: BTU motion for continuance is granted: BTU shall have until November 13, 08 to provide the remaining documents requested at the informal conference on July 17, 08
09/22/08	B.T.U. Gas' Motion for Continuance
08/25/08	B.T.U. Gas Company's First Response to Informal Conference Memorandum
07/25/08	Memorandum dated 7/24 for Informal Conference of 7/24; Comments, if any, due within five days of receipt of this letter
07/15/08	B.T.U. Gas' Additional Response to PSC First Data Request
06/25/08	BTU Response to First Data Request
06/13/08	First Data Request of Commission Staff to B.T.U. Gas Company, Inc.; Response due 6/25
06/09/08	Order Entered: Procedural schedule set forth in appendix A to this Order shall be followed: All parties shall file requested information by the dates in appendix: The PSC does not look favorably upon motions for continuance consequently motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause: Nothing

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	contained herein shall prevent the PSC from entering further Orders in this matter.
05/28/08	Order Entered: (1) The motion for continuance is granted. (2) The hearing scheduled for May 28, 2008 is continued generally.
05/22/08	BTU Gas Company Request for Administrative Subpoena
05/22/08	BTU Gas Company Motion for Continuance
05/20/08	B.T.U. Gas Company Written Response to Utility Inspection Reports
05/09/08	Entry of Appearance by Karen Chrisman for B.T.U. Gas Company
05/02/08	Order Entered: BTU shall appear before the PSC on May 28, 08 at 9 AM in Hearing Room 1 of PSC offices at 211 Sower Blvd for presenting evidence concerning the alleged violations and showing cause why it should not be subject to penalties for these alleged violations: Within 20 days BTU shall submit to the PSC a written response to each allegation in the Utility Inspection Reports of May 14, 07 and May 29, 07: The documents appended to this Order are made part of the record: Any motion requesting an informal conference with the PSC staff to consider all matters which would aid in the disposition of this proceeding shall be filed with the PSC no later than 20 days from the date of this Order.

Total Number of Cases: 1